

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINAUSDC CLERK RECEIVED  
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Jerod J. Cook, ) No. 5:14-cv-1938-RMG  
                  )  
Plaintiff,      )  
                  )  
vs.              )  
                  )  
Lt. Jordon Williams, ) ORDER  
                  )  
Defendants.     )  
                  )

This action was filed by Plaintiff, a state prisoner proceeding *pro se*, alleging violation of his rights under the Eighth Amendment of the United States Constitution. The Court recently denied Defendant's motion for summary judgment. In reviewing Plaintiff's constitutional claim, it appears to the Court that this *pro se* litigant has a colorable claim but lacks the capacity to properly present this claim at a trial in this matter. *Zuniga v. Effler*, 474 Fed. App'x 225 (4th Cir. 2012). In such a circumstance, the Court has discretion to appoint counsel for the *pro se* litigant if the party is unable to afford counsel. 28 U.S.C. § 1915(e)(1). The Court finds that appointment of counsel is proper in these circumstances and hereby appoints Bakari Sellers and Jessica Lerer of the Richland County Bar as counsel for Plaintiff.

**AND IT IS SO ORDERED.**

  
\_\_\_\_\_  
Richard Mark Gergel  
United States District Judge

July 1, 2015  
Charleston, South Carolina